

2013 DRAFTING REQUEST

Bill

Received: **1/3/2013** Received By: **agary**
Wanted: **As time permits** Same as LRB:
For: **Joel Kleefisch (608) 266-8551** By/Representing: **Ashlee Moore**
May Contact: Drafter: **agary**
Subject: **Beverages** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Rep.Kleefisch@legis.wisconsin.gov**
Carbon copy (CC) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Taste samples of intoxicating liquor on "Class A" retail premises

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 1/7/2013	jdyer 1/18/2013	rschluet 1/18/2013	_____			
/P1	agary 2/15/2013			_____	sbasford 1/18/2013		
/P2	pgrant 7/26/2013	csicilia 7/26/2013	phenry 7/26/2013	_____	srose 2/15/2013		
/1				_____	lparisi	lparisi	

Vers. Drafted

Reviewed

Typed

Proofed

Submitted

7/26/2013

Jacketed

7/26/2013

Required

FE Sent For:

→ Not
Needed

<END>

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/P2	pgrant	jdyer 2/15/2013	jfrantze 2/15/2013	_____	srose 2/15/2013		

1 cjs 7/26 1/26 p. 4
13

FE Sent For:

<END>

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Received: **1/3/2013** Received By: **agary**
 Wanted: **As time permits** Same as LRB:
 For: **Mike Kuglitsch (608) 267-5158** By/Representing: **Matthew Spencer**
 May Contact: Drafter: **agary**
 Subject: **Beverages** Addl. Drafters:
 Extra Copies:

Submit via email: **YES**
 Requester's email: **Rep.Kuglitsch@legis.wisconsin.gov**
 Carbon copy (CC) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

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Topic:

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Instructions:

See attached

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Subject: Beverages Addl. Drafters:
Extra Copies:

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Requester's email: Rep.Kuglitsch@legis.wisconsin.gov
Carbon copy (CC) to: aaron.gary@legis.wisconsin.gov

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/?	agary	PI 1/18 jcd		_____			

FE Sent For:

<END>

Gary, Aaron

From: Spencer, Matt
Sent: Thursday, January 03, 2013 11:05 AM
To: Gary, Aaron
Subject: LRB 2836

Good Morning,

Representative Kuglitsch would like to reintroduce Assembly Bill 480 (LRB 2836) next session. Would it be possible to reintroduce this along with AA 1 to AB 480 (LRBa 2285). Thanks for your help on this.

Regards,

Matthew Spencer
Office of Rep. Mike Kuglitsch
608-267-5158

1/3 wants /P
draft



State of Wisconsin
2011 - 2012 LEGISLATURE

3 4



LRB-20306
ARG:jm

0991/P

2011 **ASSEMBLY BILL 480**

January 19, 2012 - Introduced by Representatives KLEEFISCH, AUGUST and KOYENGA, cosponsored by Senator VUKMIR. Referred to Committee on Homeland Security and State Affairs.

- 1 AN ACT *to create* 125.51 (2) (am) of the statutes; **relating to:** taste samples of
- 2 intoxicating liquor provided on certain retail licensed premises. ✓

Analysis by the Legislative Reference Bureau

Under current law, with limited exceptions, no person may sell alcohol beverages to a consumer unless the seller possesses a license or permit authorizing the sale. ✓ A Class "A" license authorizes the retail sale of fermented malt beverages (beer), ✓ in original packages, for consumption off the licensed premises. ✓ A "Class A" license authorizes the retail sale of intoxicating liquor, ✓ including wine, in original packages, for consumption off the licensed premises.

Current law authorizes a Class "A" licensed retailer, ✓ under its retail license, to provide taste samples of beer ✓ on the Class "A" licensed premises, subject to various restrictions. Current law also contains an exception to the license or permit requirement allowing a "Class A" licensed retailer to provide ✓ wine taste samples on the "Class A" licensed premises, subject to various restrictions. ✓

This bill authorizes a "Class A" licensed retailer, under its retail license, to provide taste samples of intoxicating liquor that is not wine (distilled spirits) ✓ on its "Class A" licensed premises. Taste samples of distilled spirits ✓ may not exceed three, 0.5 fluid ounce taste samples per person per day and may be provided only between the hours of 11 a.m. and 7 p.m. ✓ The bill also specifies that representatives of intoxicating liquor manufacturers, rectifiers, ✓ out-of-state shippers, ✓ or wholesalers

ASSEMBLY BILL 480

or of wineries may assist the “Class A” retailer in dispensing or serving the taste samples. ✓

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 125.51 (2) (am) of the statutes is created to read:

125.51 (2) (am) In addition to the authorization under par. (a) and s. 125.06 (13), a "Class A" license authorizes the licensee to provide, free of charge, to customers and visitors who have attained the legal drinking age, taste samples of intoxicating liquor other than wine that are not in original packages or containers and that do not exceed 0.5 fluid ounces each, for consumption on the "Class A" premises. No "Class A" licensee may provide more than 3 such taste samples per day to any one person. Taste samples may be provided under this paragraph only between the hours of 11 a.m. and 7 p.m. Any representative of a manufacturer, rectifier, winery, ^{or} out-of-state shipper or wholesaler issued a permit under s. 125.52, 125.53, 125.54 or 125.58 may assist the "Class A" licensee in dispensing or serving the taste samples. No "Class A" licensee may provide as taste samples under this paragraph intoxicating liquor other than wine that the "Class A" licensee did not purchase from a wholesaler.

(END)

D-Note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0991/P1dn

ARG:.....

date

jld

ATTN: Matthew Spencer

Please review the attached draft carefully to ensure that it is consistent with your intent. As I advised the original requester last session, I believe it would be preferable to amend s. 125.06 (13) to allow taste samples of spirits (along with wine, as authorized under current law) instead of creating a new provision as is done in the attached draft. As I also advised last session, I don't believe any provision in current law prohibits a producer or distributor from assisting in providing taste samples of intoxicating liquor, so the sentence in 2011 AB-480 at p. 2, lines 9-12, as well as AA1 to AB-480, may not have any legal effect. e to A L-2011 *

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0991/P1dn
ARG:jld:rs

January 18, 2013

ATTN: Matthew Spencer

Please review the attached draft carefully to ensure that it is consistent with your intent. As I advised the original requester last session, I believe it would be preferable to amend s. 125.06 (13) to allow taste samples of spirits (along with wine, as authorized under current law) instead of creating a new provision as is done in the attached draft. As I also advised last session, I don't believe any provision in current law prohibits a producer or distributor from assisting in providing taste samples of intoxicating liquor, so the sentence in 2011 AB-480 at p. 2, lines 9 to 12, as well as AA 1 to 2011 AB-480, may not have any legal effect.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us

Gary, Aaron

From: Gary, Aaron
Sent: Tuesday, January 29, 2013 1:38 PM
To: Spencer, Matt
Subject: RE: Draft review: LRB -0991/P1 Topic: Taste samples of intoxicating liquor on "Class A" retail premises

Hi Matt,

The draft (LRB-0991/P1) already includes this amendment.

Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Spencer, Matt
Sent: Tuesday, January 29, 2013 1:21 PM
To: LRB.Legal; Gary, Aaron
Subject: RE: Draft review: LRB -0991/P1 Topic: Taste samples of intoxicating liquor on "Class A" retail premises

Could you please add the amendment that was introduced last year. Here it is.
https://docs.legis.wisconsin.gov/2011/related/amendments/ab480/aa1_ab480.pdf

Thank you,

Matthew Spencer
Office of Rep. Mike Kuglitsch
608-267-5158

From: LRB.Legal
Sent: Friday, January 18, 2013 8:29 AM
To: Rep.Kuglitsch
Subject: Draft review: LRB -0991/P1 Topic: Taste samples of intoxicating liquor on "Class A" retail premises

Following is the PDF version of draft LRB -0991/P1 and drafter's note.



State of Wisconsin
2013 - 2014 LEGISLATURE

in 2/15
wanted
by 2/20



LRB-0991/PZ
ARG:jld:rs

RMV

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

X
Regen

- 1 AN ACT *to create* 125.51 (2) (am) of the statutes; **relating to:** taste samples of
2 intoxicating liquor provided on certain retail licensed premises. ✓

Analysis by the Legislative Reference Bureau

Under current law, with limited exceptions, no person may sell alcohol beverages to a consumer unless the seller possesses a license or permit authorizing the sale. A Class "A" license authorizes the retail sale of fermented malt beverages (beer), in original packages, for consumption off the licensed premises. A "Class A" license authorizes the retail sale of intoxicating liquor, including wine, in original packages, for consumption off the licensed premises.

Current law authorizes a Class "A" licensed retailer, under its retail license, to provide taste samples of beer on the Class "A" licensed premises, subject to various restrictions. Current law also contains an exception to the license or permit requirement allowing a "Class A" licensed retailer to provide wine taste samples on the "Class A" licensed premises, subject to various restrictions.

This bill authorizes a "Class A" licensed retailer, under its retail license, to provide taste samples of intoxicating liquor that is not wine (distilled spirits) on its "Class A" licensed premises. Taste samples of distilled spirits may not exceed three, 0.5 fluid ounce taste samples per person per day and may be provided only between the hours of 11 a.m. and 7 p.m. The bill also specifies that representatives of

* intoxicating liquor manufacturers, rectifiers, or out-of-state shippers ~~wineries~~
* may assist the "Class A" retailer in dispensing or serving ~~the~~ taste samples.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

✓
1 SECTION 1. 125.51 (2) (am) of the statutes is created to read:

2 125.51 (2) (am) In addition to the authorization under par. (a) and s. 125.06
3 (13), a "Class A" license authorizes the licensee to provide, free of charge, to
4 customers and visitors who have attained the legal drinking age, taste samples of
5 intoxicating liquor other than wine that are not in original packages or containers
6 and that do not exceed 0.5 fluid ounces each, for consumption on the "Class A"
7 premises. No "Class A" licensee may provide more than 3 such taste samples per day
8 to any one person. Taste samples may be provided under this paragraph only
9 between the hours of 11 a.m. and 7 p.m. Any representative of a manufacturer,
10 rectifier, winery, or out-of-state shipper issued a permit under s. 125.52, 125.53, or
11 125.58 may assist the "Class A" licensee in dispensing or serving the taste samples.
12 No "Class A" licensee may provide as taste samples under this paragraph
13 intoxicating liquor other than wine that the "Class A" licensee did not purchase from
14 a wholesaler.

15 (END)

Insert
2-15 ✓

of distilled spirits, but wholesalers may not
assist or participate in providing taste
samples of either distilled spirits or wine



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa2297/1
ARG:jld:rs

ASSEMBLY AMENDMENT ,
TO 2011 ASSEMBLY BILL 480

INSERT

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 10: after "winery," insert "or".

3 **2.** Page 2, line 10: delete "shipper, or wholesaler" and substitute "shipper".

4 **3.** Page 2, line 11: delete "125.54,".

5 **4.** Page 2, line 14: after that line insert:

6 ~~SECTION 2m.~~ ^{#18} 125.54 (3) of the st

7 125.54 (3) TASTE SAMPLES ON "CLAS

8 issued under this section, employees

9 representing such wholesalers may not

10 samples under s. 125.06[✓] (13) (a) or 125.51

11

Ashlee Moore

266-8551

to /

for Klee Fisch
says okayed by
Matt to take
over draft

insert
2-15

(END)



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0991/P2
ARG:jld:jf

TODAY

stays

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

STV

Gen Cat

- 1 AN ACT *to create* 125.51 (2) (am) and 125.54 (3) of the statutes; **relating to:** taste
- 2 samples of intoxicating liquor provided on certain retail licensed premises.

Analysis by the Legislative Reference Bureau

Under current law, with limited exceptions, no person may sell alcohol beverages to a consumer unless the seller possesses a license or permit authorizing the sale. A Class "A" license authorizes the retail sale of fermented malt beverages (beer), in original packages, for consumption off the licensed premises. A "Class A" license authorizes the retail sale of intoxicating liquor, including wine, in original packages, for consumption off the licensed premises.

Current law authorizes a Class "A" licensed retailer, under its retail license, to provide taste samples of beer on the Class "A" licensed premises, subject to various restrictions. Current law also contains an exception to the license or permit requirement allowing a "Class A" licensed retailer to provide wine taste samples on the "Class A" licensed premises, subject to various restrictions.

This bill authorizes a "Class A" licensed retailer, under its retail license, to provide taste samples of intoxicating liquor that is not wine (distilled spirits) on its "Class A" licensed premises. Taste samples of distilled spirits may not exceed three, 0.5 fluid ounce taste samples per person per day and may be provided only between the hours of 11 a.m. and 7 p.m. The bill also specifies that representatives of intoxicating liquor manufacturers, rectifiers, wineries, or out-of-state shippers may assist the "Class A" retailer in dispensing or serving these taste samples of distilled

spirits, but wholesalers may not assist or participate in providing taste samples of either distilled spirits or wine.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

✓
SECTION 1. 125.51 (2) (am) of the statutes is created to read:

125.51 (2) (am) In addition to the authorization under par. (a) and s. 125.06 (13), a "Class A" license authorizes the licensee to provide, free of charge, to customers and visitors who have attained the legal drinking age, taste samples of intoxicating liquor other than wine that are not in original packages or containers and that do not exceed 0.5 fluid ounces each, for consumption on the "Class A" premises. No "Class A" licensee may provide more than 3 such taste samples per day to any one person. Taste samples may be provided under this paragraph only between the hours of 11 a.m. and 7 p.m. Any representative of a manufacturer, rectifier, winery, or out-of-state shipper issued a permit under s. 125.52, 125.53, or 125.58 may assist the "Class A" licensee in dispensing or serving the taste samples. No "Class A" licensee may provide as taste samples under this paragraph intoxicating liquor other than wine that the "Class A" licensee did not purchase from a wholesaler.

✓
SECTION 2. 125.54 (3) of the statutes is created to read:

125.54 (3) TASTE SAMPLES ON "CLASS A" PREMISES. Wholesalers holding a permit issued under this section, employees of such wholesalers, and individuals representing such wholesalers may not assist or participate in providing taste samples under s. 125.06 (13) (a) or 125.51 (2) (am).

(END)

Parisi, Lori

From: Moore, Ashlee
Sent: Friday, July 26, 2013 1:13 PM
To: LRB.Legal
Subject: Draft Review: LRB -0991/1 Topic: Taste samples of intoxicating liquor on _Class A_ retail premises

Please Jacket LRB -0991/1 for the ASSEMBLY.